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CONFIRMATION

FACSIMILE MESSAGE

Date **May 24, 2006**

To: **Office of Petitions and Group Art Unit 2624**

Fax No.: **0011 1 571 273 0025 and 0011 1 571 273 8300**

Subject: **United States Patent Application No. 09/505,003**
Inventors/Assignors: Paul Lapstun and Kia Silverbrook
Assignee: SILVERBROOK RESEARCH PTY LTD

Our Ref: **SP05US**

Total Number of Pages (including this) : **35**

Please find enclosed a Petition to Withdraw Abandonment in reply to the Notice of Abandonment mailed March 24, 2006, of Examiner Douglas Q. Tran.

Yours sincerely,

Paul Lapstun

Kia Silverbrook

Encl.

This facsimile contains information that is privileged and confidential, and is intended only for the use of the individual or entity named above. If you have received this facsimile in error, or if the transmission is not complete, please notify us immediately by telephone or facsimile.



In the United States Patent and Trademark Office

Serial Number: 09/505,003
Application. Filed: February 15, 2000
Applicant: Paul Lapstun and Kia Silverbrook
Application Title: Printer controller for a high-speed printer
Examiner/GAU: Douglas Q. Tran 2624
Dated May 24, 2006
At: BALMAIN, NSW
Docket No. SP05US

REQUEST TO WITHDRAW ABANDONMENT AND PETITION

Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

In reply to the Notice of Abandonment mailed March 24, 2006, we hereby lodge a petition to WITHDRAW HOLDING OF ABANDONMENT.

The Notice of Abandonment states that the UPSTO Office Letter mailed on November 24, 2003 was not replied to. We confirm that the reply was faxed in response to the Office Letter mailed on November 24, 2003. We therefore enclose a petition the Commissioner to WITHDRAW HOLDING OF ABANDONMENT on this application.

A Declaration of my Patent Administrator, Leonie Frances News is enclosed, together with a List of Events.

We respectfully request favourable consideration of our petition.

Very respectfully,

Applicants:

PAUL LAPSTUN

KIA SILVERBROOK

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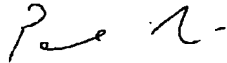
Petition to Withdraw Holding of Abandonment under 37 CFR 1.181(a)

The Applicant hereby petitions under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment in the present application as per the Notice of Abandonment mailed March 24, 2006.

- In the Notice of Abandonment it is stated that no reply to the Office letter mailed on November 24, 2003, being a Notice of Non-Compliant Amendment, has been received by the Office.
- However, as detailed by the enclosed List of Events for the present application which provides a time-line of events leading to the receipt of the Notice of Abandonment, the Applicant filed a proper Reply to the Notice of Non-Compliant Amendment on January 21, 2004 (a copy of which is enclosed herewith).
- Further, as detailed by the enclosed List of Events, in response to the Examiner's email message request of April 5, 2005 (a copy of which is enclosed herewith), the Applicant further filed a petition and fee for an extension of time of four (4) months for the Reply (as evidenced by the enclosed copy of the facsimiled petition, facsimile transmission report and credit card payment form).
- Thus, the Applicant respectfully submits that a proper Reply to the Office letter identified in the Notice of Abandonment was filed by the Applicant together with the requisite time extension petition and fee required by the Examiner.
- The Applicant further respectfully submits that the Applicant has acted with diligence to resolve the issues encountered in the present application in an attempt to progress the prosecution thereof, as evidenced by the enclosed List of Events.

- Accordingly, the Applicant respectfully requests withdrawal of the holding of abandonment in the present application.
- The Applicant remains at the Office's disposal if the Director requires any further information and/or evidence regarding the above matters.

Applicants:



PAUL LAPSTUN



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Commonwealth of Australia
Statutory Declarations Act 1959

STATUTORY DECLARATION

In the Matter of US Patent
Application No. 09/505,003
in the name of Paul Lapstun
and Kia Silverbrook

I LEONIE FRANCES NEWS of 393 Darling Street, Balmain, New South Wales, 2041,
Australia do solemnly and sincerely declare as follows:


1. I am the Patent Administrator of Silverbrook Research Pty Ltd and have held this position since 1 September 1999.
2. I have responsibility for maintaining files, preparing responses and forwarding the responses to Office Actions for the United States patent applications of Paul Lapstun and Kia Silverbrook and Silverbrook Research Pty Ltd, including US Patent Application No. 09/505,003 ("*The Patent Application*").
3. I received a Notice of Abandonment on The Patent Application stating that the reply was not timely filed at the USPTO to Office Letter mailed on November 24, 2003.
4. I then checked my file for The Patent Application and now state that the reply was faxed to the USPTO on The Patent Application on January 21, 2004. A list of Events is attached that describes each action that took place after January 21, 2004 and marked as Exhibit LFN-1.

And I make this solemn declaration aware of the penalties for false declarations under section 11 of the Statutory Declarations Act 1959 (Cwth of Australia).

Declared at Sydney)
This 23 day of May)
2006 by Leonie Frances)
News)


Leonie Frances News

Before me:)


Dilip Khatrri
Justice of the Peace
Of New South Wales

USSN 09/505,003 - LIST OF EVENTS

1. January 21, 2004: Applicant receives a Notice of Non-Compliant Amendment dated November 24, 2003 regarding incorrect claim status identifier.
2. January 21, 2004: Applicant sends to the USPTO, via facsimile, Applicant's Reply to the Notice of Non-Compliant Amendment accompanied with an Amendment providing the appropriate claim status identifier and Remarks as to the belated receipt of the Notice of Non-Compliant Amendment, that is, pointing out the date of receipt of the Notice of Non-Compliant Amendment by Applicant – although there was no "Date sent" identified on the Notice of Non-Compliant Amendment.
3. September 15, 2004: Applicant sends email message to Examiner enquiring as to status of application.
4. December 29, 2004: Applicant sends further email message to Examiner again enquiring as to status of application.
5. January 4, 2005: Applicant receives email message from Examiner advising Applicant to contact Legal Instruments Examiner (LIE contact), not the Examiner regarding status.
6. January 4, 2005: Applicant sends email message to Examiner advising that LIE contact's name is "unreadable" on the Notice of Non-Compliant Amendment and therefore not contactable.
7. January 12, 2005: Applicant attempts to contact LIE contact via facsimile by guessing and matching with USPTO website's Employee Information Screen.
8. April 5, 2005: Applicant receives email message from Examiner requesting Applicant to pay four (4) month extension of time fee for reply to the Notice of Non-Compliant Amendment and that the fee and request be sent via the Examiner's direct facsimile number.
9. April 5, 2005: Applicant sends email message to Examiner requesting Application number to which the above email message pertains.
10. April 8, 2005: Applicant receives email message from Examiner identifying the Application number of the present application.
11. April 8, 2005: Applicant sends, via facsimile to Examiner's direct facsimile number (as requested by Examiner), petition and fee for four (4) month extension of time request and a copy of Applicant's Reply to the Notice of Non-Compliant Amendment. Applicant also sends an email message to Examiner

confirming that petition and fees have been sent via facsimile to the Examiner as requested.

12. June 8, 2005: Applicant sends email message to Examiner enquiring as to status of application.
13. October 24, 2005: Applicant sends further email message to Examiner enquiring as to status of application.
14. October 25, 2005: Applicant receives email message from Examiner in which Examiner states that petition and fee for extension of time should not have been sent to Examiner but to the USPTO.
15. October 25, 2005: Applicant sends email message to Examiner outlining why petition and fee was sent to the Examiner, that is, as per the Examiner's request in the Examiner's above-noted April 5, 2006 email message, and enquiring as to status of application.
16. April 7, 2006: Applicant receives Notice of Abandonment mailed March 24, 2006 stating that no reply to the Office letter mailed on November 11, 2003, i.e., the Notice of Non-Compliant Amendment, was received by the USPTO.